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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Grimwood et al.

Art Unit:

Serial No. 09/074,036

Docket No. TER-005

RECEIVED

MAR 14 2005

Filed: 05/06/98

OFFICE OF PETITIONS

United States Patent 6,243,369 B1

For: APPARATUS AND METHOD FOR SYNCHRONIZING AN SCDMA UPSTREAM
OR ANY OTHER TYPE UPSTREAM TO AN MCNS DOWNSTREAM OR ANY OTHER
TYPE DOWNSTREAM WITH A DIFFERENT CLOCK RATE THAN THE UPSTREAM

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, Va. 22313-1450

Date: March 6, 2005

Petition Under 37 CFR 1.324 For Correction of Inventorship In Patent, Pursuant

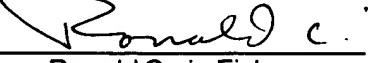
To 35 U.S.C. 256

Dear Sir:

The assignee of the above identified United States Patent 6,243,369 B1 hereby requests that the inventorship on the subject patent application be amended to add Robert Fanfelle as an additional inventor. The Petition Fee of \$130 under 37 CFR 1.20(b) is enclosed herewith in the form of a credit card authorization form. Also enclosed is a statement from Robert Fanfelle that the error in naming inventorship did not stem from any deceptive intent on his part. Also enclosed is a signed consent of the assignee Terayon Communication Systems, Inc. to the requested action.

Respectfully submitted,

Dated: March 6, 2005


Ronald C. Fish

Reg. No. 28,843
Tel 408 866 4777

03/11/2005 HALI11 0000005 09074036

01 FC:1464

130.00 OP



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I hereby certify that this correspondence is being deposited with the United States
Postal Service as First Class Mail, postage prepaid, in an envelope addressed to: Commissioner
for Patents, P.O. Box 1450, Alexandria, Va. 22313-1450.
on 3/6/2005
(Date of Deposit)

A handwritten signature in black ink, appearing to read "Ronald C. Fish".

Ronald Craig Fish, President
Ronald Craig Fish, a Law Corporation
Reg. No. 28,843

Mar 06 05 08:57a

Robert Fanfelle

(650) 367-1379

p. 1

03/04/2005 10:41

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RON FISH PC

PAGE 05/18

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P.O. Box 1450
Alexandria, Va. 22313-1450

Date: March 5, 2005

Statement of Robert Fanfelle of No Deceptive Intent Pursuant to

37 CFR 1.48(a)

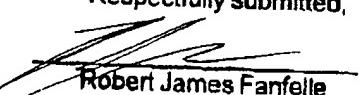
Dear Sir:

Being hereby warned that willful false statements and the like are punishable by fine or imprisonment, or both (18 U.S.C. 1001) and may jeopardize the validity of the application or any patent issuing thereon, I hereby voluntarily make the following statements. The following statements made of my own knowledge are true, and all statements made on information and belief are believed to be true.

I, Robert James Fanfelle, hereby declare of my own personal knowledge that I should be added as a co-inventor to the above identified patent, and that the error in naming the inventive entity did not result from any deceptive intent on my part.

Respectfully submitted,

Dated: March 5, 2005


Robert James Fanfelle

Mar 06 05 08:57a

Robert Fanfelle

(650) 367-1379

p.2

03/04/2005 10:41

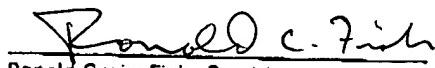
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on 3/6/05
(Date of Deposit)



Ronald Craig Fish, President
Ronald Craig Fish, a Law Corporation
Reg. No. 28,843



(2)

DECLARATION FOR PATENT APPLICATION

Inventor(s): Michael Grimwood, Jim Knittel, Paul Richardson,
Selim Shlomo Rakib, Paul Alan Lind, and Doug Artman and
Robert James Fanfelle
Docket No. TER-005

As a below-named inventor, I (We) hereby declare that:

My correct residence, post office address and citizenship are stated below next to my name.

I believe myself to be the original, first and sole inventor (if only one name is listed below) or an original and first joint inventor (if more than one name is listed below) of the subject matter which is disclosed and claimed and for which a patent is sought on the invention entitled: APPARATUS AND METHOD FOR SYNCHRONIZING AN SCDMA UPSTREAM TO AN MCNS DOWNSTREAM.

The specification of this subject matter:

is attached hereto.

was filed on 05/06/98

was assigned serial No. 09/074,036

which was issued on 6/5/01 and US Patent 6,243,369 B1

I hereby state that I have reviewed and understand the contents of the above identified patent application, including the claims, as amended by any amendment(s) referred to above. I believe the subject matter claimed in the above-identified application to be new and to be unobvious to persons of ordinary skill in the art in view of the prior art of which I am aware. I further hereby state that the specification of the above identified patent application adequately describes how to make and use the claimed invention, and further that it sets forth the best mode for practicing the invention known to me as of the date that the application was filed. I acknowledge the duty to disclose information which is material to the examination of this application in accordance with 37 C.F.R. 1.56. I further acknowledge the duty to disclose information known to me to be material under 37 C.F.R. 1.56 to the examination of the claims in any continuation-in-part application filed under the conditions specified in 35 U.S.C. Section 120 which became available between the filing date of the prior application or the national or PCT international filing date and the filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

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MAR 14 2005
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Application No.	Country	Filing Date	Priority Claimed
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I hereby claim the benefit under 35 U.S.C. §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in these prior United States application(s) in the manner provided by 35 U.S.C. §112, I acknowledge the duty to disclose material information as defined in 37 C.F.R. §1.56(a) which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application.

Application No.	Filing Date	Status (Issued, Pending, Abandoned)
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FULL NAME OF INVENTOR 1	FIRST Name MICHAEL	MIDDLE Initial(s)	LAST Name GRIMWOOD
----------------------------	-----------------------	-------------------	-----------------------

RESIDENCE AND CITIZENSHIP	City PALO ALTO	State or Foreign Country CALIFORNIA	Country of Citizenship U.S.A.	
POST OFFICE ADDRESS	Number and Street 839 E. MEADOW DRIVE	City PALO ALTO	State or Country CALIFORNIA	Zip Code 94303

FULL NAME OF INVENTOR 2	FIRST Name JIM	MIDDLE Initial(s)	LAST Name KNITTEL
----------------------------	-------------------	-------------------	----------------------

RESIDENCE AND CITIZENSHIP	City CAMPBELL	State or Foreign Country CALIFORNIA	Country of Citizenship U.S.A.	
POST OFFICE ADDRESS	Number and Street 585 WENDELL DRIVE	City CAMPBELL	State or Country CALIFORNIA	Zip Code 95008

FULL NAME OF INVENTOR 3	FIRST Name PAUL	MIDDLE Initial(s)	LAST Name RICHARDSON
----------------------------	--------------------	-------------------	-------------------------

RESIDENCE AND CITIZENSHIP	City SAN JOSE	State or Foreign Country CALIFORNIA	Country of Citizenship U.S.A.	
POST OFFICE ADDRESS	Number and Street 3432 CADILLAC DRIVE	City SAN JOSE	State or Country CALIFORNIA	Zip Code 95117

FULL NAME OF INVENTOR 4	FIRST Name SELIM	MIDDLE Initial(s) SHLOMO	LAST Name RAKIB
----------------------------	---------------------	-----------------------------	--------------------

RESIDENCE AND CITIZENSHIP	City CUPERTINO	State or Foreign Country CALIFORNIA	Country of Citizenship ISRAEL	
POST OFFICE ADDRESS	Number and Street 23057 CRICKET HILL ROAD	City CUPERTINO	State or Country CALIFORNIA	Zip Code 95014

Mar 06 05 09:00a

Robert Fanfelle

(650) 367-1379

P. 1

03/04/2005 10:41

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RON FISH PC

PAGE 15/18

FULL NAME OF INVENTOR 5	FIRST Name PAUL	MIDDLE Initial(s) ALAN	LAST Name LIND
RESIDENCE AND CITIZENSHIP	City SANTA CRUZ	State or Foreign Country CALIFORNIA	Country of Citizenship U.S.A.
POST OFFICE ADDRESS	Number and Street 258 WAUGH AVENUE	City SANTA CRUZ	State or Country CALIFORNIA
			Zip Code 95065

FULL NAME OF INVENTOR 6	FIRST Name DOUG	MIDDLE Initial(s)	LAST Name ARTMAN
RESIDENCE AND CITIZENSHIP	City SAN JOSE	State or Foreign Country CALIFORNIA	Country of Citizenship U.S.A.
POST OFFICE ADDRESS	Number and Street 1434 IRIS COURT	City SAN JOSE	State or Country CALIFORNIA
			Zip Code 95125

FULL NAME OF INVENTOR 7	FIRST Name ROBERT	MIDDLE Initial(s) JAMES	LAST Name FANFELLE
RESIDENCE AND CITIZENSHIP	City REDWOOD CITY	State or Foreign Country CALIFORNIA	Country of Citizenship U.S.A.
POST OFFICE ADDRESS	Number and Street 1077 CHESTERTON AVE.	City REDWOOD CITY	State or Country CALIFORNIA
			Zip Code 94061

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith:

Ronald C. Fish (28,843)

Address all telephone calls to Ronald C. Fish at telephone no. (408) 866-4777
 Address all correspondence to Ronald Craig Fish

Ronald Craig Fish, A Law Corporation
 P.O. Box 820
 Los Gatos, California 95037
 FAX No. (408) 866 4785

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Title 18, United States Code, § 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Signature of Inventor 1

Date

Signature of Inventor 2

Date

TER-005-Declaration for Patent Application

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Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, Va. 22313-1450

Consent of Assignee Under 37 CFR 3.73

Dear Sir:

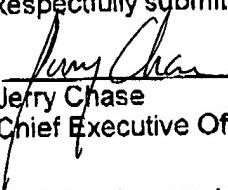
The assignee, Terayon Communication Systems, Inc., hereby establishes its ownership of the above identified patent application and the right to take action therein. By my signature below, I certify that I, Rachel Halpren, have authority to act on behalf of the assignee of the above identified patent application. The original patent application named several inventors including Mike Grimwood. Those inventors executed an

PATENT

assignment on 5/12/98 and that assignment was recorded at the USPTO at reel/frame 009814/0872 on 7/7/98.

Respectfully submitted,

Dated:



Jerry Chase
Chief Executive Office

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed to: Commissioner for Patents , P.O. Box 1450, Alexandria, Va. 22313-1450.

on _____
(Date of Deposit)

Ronald Craig Fish, President
Ronald Craig Fish, a Law Corporation
Reg. No. 28,843